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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,306	07/13/2001	Cassio Brun Goldschmidt	50325-0552	6357

29989 7590 08/28/2003

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EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT PAPER NUMBER

2672

DATE MAILED: 08/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/905,306

Applicant(s)

GOLDSCHMIDT, CASSIO BRUN

Examiner

Motilewa A. Good-Johnson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 July 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

1. This office action is responsive to the following communications: Application, filed 07/13/2001; IDS, paper #4, filed 07/13/2001.
2. Claims 1-30 are pending in this application. Claims 1, 9, 20, 22 and 24-26 are independent claims. No claims have yet been amended.
3. The present title of this application is "Incremental Plotting of Network Topologies and other Graphs through use of Markup Language".

### ***Drawings***

4. The drawings were received on 09/21/2001. These drawings are acceptable.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Besaw et al., U.S. Patent Application Publication 2002/0158897 A1, "System for Displaying Topology Map Information through the Web", class 345/734, 04/30/2001.

As per independent claim 1, a method for plotting a graph using a markup language, comprising the steps of: receiving first graph information as a markup language document in response to a request for a graphic display . . . the markup language document is associated with a document type definition; (Besaw discloses receiving a map request for a remote node, paragraph 0008) and plotting the first graphic display on a display device according to the markup language document and associated document type definition. (Besaw discloses generating the topology map with the gathered information and transmitting the topology map to the node using the network protocol, paragraph 0010, and further discloses the customer may view the information of the network in a topological map on a hypertext markup language document, XML or the like, paragraph 0021)

With respect to dependent claim 2, receiving first graph information is performed such that a request for a second graphic display initiated through interaction with the first graphic display does not require retrieving again the first graph information from the data source. (Besaw discloses that there may be any number of networks interfacing customers and management portal, paragraph 0019)

With respect to dependent claim 3, the second graphic display is an incremental elaboration of the first graphic display; wherein the step of plotting the first graphic display is such that subsequently plotting the second graphic display does not require plotting again the first graphic display. (Besaw discloses the service provider would configure a portion of its own network into partitioned networks each allocated to a customer, paragraph 0020)

With respect to dependent claim 4, the markup language document includes image information for specifying a graphical image representing a focus entity for plotting in the first graphic display, label information for specifying a label associated with the graphical image . . . , connection information for specifying one or more connections . . . and between the graphical image and one or more secondary graphical images; and . . . plotting the first graphic display is performed based on the image information, the label information, and the connection information. (Besaw discloses the mapview module configured to include icon symbols representing nodes and connection lines between the icon symbols, paragraph 0027)

With respect to dependent claim 5, plotting the first graphic displayed is performed according to a display arrangement in which the graphical image is substantially centered on the display device . . . (Besaw discloses the customer is given access to portal information configured by referencing a customer views module, paragraph 0023)

With respect to dependent claim 6, the first graph information . . . further includes one or more of: tool tip information . . . , click action information for specifying an action to perform upon a second interaction with the graphical image, menu information for specifying a menu to display on the display device upon a third interaction with the graphical image; and wherein the step of receiving the first graph information is according to the markup language document. (Besaw discloses the mapview module may be configured to include icon symbols to represent network nodes on the topology, paragraph 0027)

With respect to dependent claim 7, menu information for specifying a menu to display on the display device upon a first interaction with the one or more connections; and wherein the step of receiving the first graph information is according to the markup language document. (Besaw discloses the topology map module may be configured to provide a customer a display of possible topology maps that may be generated and a display list of filters or filtering functions that may be applied, paragraphs 0030-0032)

With respect to dependent claim 8, the step of plotting the first graphic display is performed according to one specified display arrangement from a plurality of available display arrangements. (Besaw discloses configuring the map module to display a list of topology map options and a mapview module, paragraphs 0034-0035)

As per independent claim 9, a method for displaying a network topology, comprising the steps of: receiving a markup language document associated with a document type definition, the document including graph information specifying display attributes . . . ; (Besaw discloses providing the capability for a customer to view relevant information of the customer to view information of a network in a topological map on a markup language document, paragraph 0020) network node information, the node information including image information for specifying a graphical image representing a first node . . . , node label information for specifying a node label associated with the graphical image . . . , network node connection information specifying a connection . . . ; (Besaw discloses the mapview module configured to include icon symbols representing nodes and connection lines between the icon symbols, paragraph 0027) displaying on the display device the graphical image and the node label for the first node, according to

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the node information and the graph information; and displaying on the display device the connection between the graphical image representing the first node and at least a second graphical image representing the second node . . . (Besaw discloses generating the topology map with the gathered information and transmitting the topology map to the node using the network protocol, paragraph 0010, and further discloses the customer may view the information of the network in a topological map on a hypertext markup language document, XML or the like, paragraph 0021)

With respect to dependent claim 10, tool tip information . . . , click action information for specifying an action to perform upon a second interaction with the graphical image, menu information for specifying a menu to display on the display device upon a third interaction with the graphical image; and . . . enabling functions initiated by each of the first interaction, the second interaction, and the third interaction. (Besaw discloses the mapview module may be configured to include icon symbols to represent network nodes on the topology, paragraph 0027)

With respect to dependent claim 11, third interaction includes retrieving a file for displaying information about one or more network links between the first node and one or more nodes connected to the first node. (Besaw discloses the mapview module may be configured to associate file streams, paragraph 0017)

With respect to dependent claim 12, includes retrieving a file for displaying information about one or more routers associated with the first node. (Besaw discloses member functions including associating a file stream, connections, graphics, and a topology map, paragraph 0030)

With respect to dependent claim 13, the function initiated by the third interaction includes retrieving a file for displaying information about one or more sub networks associated with the first node. (Besaw discloses the topology map module receives a request for a network topology map provided by a management portal configured to a customers network, paragraph 0031-0032)

With respect to dependent claim 14, graphical image and the node label and displaying the connection are performed according to one specified display arrangement from a plurality of available display arrangements. (Besaw discloses the topology map module may be configured to provide a customer a display of possible topology maps that may be generated and a display list of filters or filtering functions that may be applied, paragraphs 0030-0032)

With respect to dependent claim 15, graphical image and the node label and displaying the connection are performed such that the graphical image is substantially centered on the display element of the display device. (Besaw discloses the customer is given access to portal information configured by referencing a customer views module, paragraph 0023)

With respect to dependent claim 16, displaying the graphical image and the node label is performed such that graphical image size is related to the number of connections to graphical image. (Besaw discloses the customer may selected the graphics format for displaying the requested topology map, paragraph 0035)

With respect to dependent claim 17, network node connection information includes connection label information for specifying a label associated with the



connection and wherein the step of displaying the connection includes displaying the connection label. (Besaw discloses the mapview module configured to include icon symbols representing nodes and connection lines between the icon symbols, paragraph 0027)

With respect to dependent claim 18, the connection label information includes a cost parameter label that reflects the bandwidth capacity of the network represented by the connection. (Besaw discloses the service provider may provide network services for a customer due to lack of expertise, cost, etc, paragraph 0020, therefore it would be inherent to include a cost parameter to provide the customer with the cost associated with the desired network services)

With respect to dependent claim 19, menu information for specifying a menu to display on the display device upon an interaction with the connection; and the method further comprises the step of: enabling a function initiated by the interaction. (Besaw discloses the topology map module may be configured to provide a customer a display of possible topology maps that may be generated and a display list of filters or filtering functions that may be applied, paragraphs 0030-0032)

As per independent claim 20 and dependent claim 21, they are rejected based upon similar rational as above independent claim 1 and dependent claim 4 respectively. (Besaw further discloses the invention may be performed in a computer readable medium, paragraph 0039)

As per independent claim 22 and dependent claim 23, they are rejected based upon independent claim 9 and dependent claim 18 respectively. (Besaw further

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discloses the invention may be performed in a computer readable medium, paragraph 0039)

As per independent claim 24, it is rejected based upon similar rational as above independent claim 1. (Besaw further discloses a network interface, paragraph 0018, a memory and processor, paragraph 0028)

As per independent claim 25, it is rejected based upon similar rational as above independent claim 9. (Besaw further discloses a computer system display, i.e. an apparatus, for displaying the network topology, paragraph 0028)

As per independent claim 26 and dependent claims 27-30, they are rejected based upon similar rational as above dependent claims 2, 4 and 6-7 respectively.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

2002/0616903 A1      Besaw      10/31/2002    04/30/2001    709/229

System for secure access to information provided by a web application.  
Keller et al., *Determining Service Dependencies in Distributed Systems*, IEEE, 2001, pages 2084-2088.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is

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(703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Motilewa A. Good-Johnson  
Examiner  
Art Unit 2672

mgj